

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD ROY SCOTT,

Plaintiff,

v.

SHAUNA ANDERSON, *et al.*,

Defendants.

No. MC05-5029

ORDER

This matter comes before the Court *sua sponte*. On April 5, 2005, the United States District Court judges who sit in Tacoma entered an order dismissing a number of plaintiff's causes of action and barring future litigation "[i]n all future cases" unless plaintiff provides a signed affidavit, along with the proposed complaint, "verifying under penalty of perjury that none of the issues raised in the proposed complaint have been litigated in the past by the plaintiff." See Dkt. #170 in Case No. C04-5147RJB (April 5, 2005 Order) at 4, ¶2. On May 26, 2007, the Court also entered a order declaring plaintiff a vexatious litigant and prohibiting him from proceeding *in forma pauperis* in any future action in the United States District Court for the Western District of Washington. See Dkt. #95 in Case No. C06-5172FDB (March 26, 2007 Order) at 15, ¶2.

On October 17, 2007, the Clerk of Court received a complaint and a letter stating that "I will pay the [filing] fee and do my own service." Dkt. #111 (Complaint); Dkt. #112 (Letter). These documents are now before the undersigned for review pursuant to the terms of the April

ORDER

1 5, 2005 bar order.

2 Based on plaintiff's representation that he will pay the filing fee, his proposed complaint
3 is exempt from the Court's March 26, 2007 order which restricts plaintiff's *in forma pauperis*
4 status. However, plaintiff has failed to "submit a signed affidavit, along with the proposed
5 complaint, verifying under penalty of perjury that none of the issues raised in the proposed
6 complaint have been litigated in the past by plaintiff." See April 5, 2005 Order. Therefore, the
7 new action submitted on October 17, 2007 (Dkt. #111), shall not be permitted to proceed until
8 plaintiff has provided the required affidavit and the \$350.00 filing fee. The Clerk of Court shall
9 docket this order in MC05-5029. Neither the Clerk of Court nor defendants need take any
10 further action with regards to this matter.¹

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12 DATED this 19th day of October, 2007.

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15 Robert S. Lasnik
16 United States District Judge
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25 ¹ Should plaintiff cure the deficiencies referenced above, plaintiff shall comply with terms of
26 the April 5, 2005 order when proceeding with this action. See April 5, 2005 Order (requiring, inter alia,
that "Plaintiff may not engage in discovery without leave of court. To obtain leave of court he must
submit written discovery to the court for prior approval" and "Plaintiff may not issue any subpoenas or
summons without prior approval of the court.").